

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Macheo Wells,

Civil No. 06-2135 (RHK/RLE)

Petitioner,

vs.

**ORDER**

Federal Bureau of Prisons,  
Federal Prison Camp and  
R.L. Morrison, Warden,

Respondents.

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Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, it is **ORDERED**:

1. The Report and Recommendation (Doc. No. 9) is **ADOPTED**; and
2. The Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED**, insofar as it would obligate the BOP to make a determination as to the Petitioner's placement in a RRC any sooner than the time period specified in Program Statement 7310.04, but is **GRANTED** to the extent of requiring the BOP to refrain from an RRC placement decision predicated upon 28 C.F.R. §§570.20, and 570.21.

Dated: January 31, 2007

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge